

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEW JERSEY

In re: Eastern Freight Ways, Inc.

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§

Case No. 19-12812

Lead Case No. 19-12809

Debtor(s)

☒ Jointly Administered

Post-confirmation Report

Chapter 11

Quarter Ending Date: 09/30/2021

Petition Date: 02/11/2019

Plan Confirmed Date: 01/15/2020

Plan Effective Date: 02/03/2020

This Post-confirmation Report relates to: ☐ Reorganized Debtor

☒ Other Authorized Party or Entity: Liquidating Trust of Consolidated Eastern

Name of Authorized Party or Entity

/s/ Kevin Clancy

Signature of Responsible Party

10/19/2021

Date

Kevin P. Clancy

Printed Name of Responsible Party

CohnReznick LLP

14 Sylvan Way

Parsippany, New Jersey 07054

Address

STATEMENT: This Periodic Report is associated with an open bankruptcy case; therefore, Paperwork Reduction Act exemption 5 C.F.R. § 1320.4(a)(2) applies.

Debtor's Name Eastern Freight Ways, Inc.

Case No. 19-12812

Part 1: Summary of Post-confirmation Transfers

	Current Quarter	Total Since Effective Date
a. Total cash disbursements	\$133	\$4,979,169
b. Non-cash securities transferred	\$0	\$0
c. Other non-cash property transferred	\$0	\$0
d. Total transferred (a+b+c)	\$133	\$4,979,169

Part 2: Preconfirmation Professional Fees and Expenses

a.			Approved Current Quarter	Approved Cumulative	Paid Current Quarter	Paid Cumulative	
	Professional fees & expenses (bankruptcy) incurred by or on behalf of the debtor <i>Aggregate Total</i>		\$0	\$1,206,147	\$0	\$1,206,147	
	<i>Itemized Breakdown by Firm</i>						
		Firm Name	Role				
	i	Gibbons P.C.	Lead Counsel	\$0	\$546,275	\$0	\$546,275
	ii	Phoenix Management Serv, Inc	Financial Professional	\$0	\$410,907	\$0	\$410,907
	iii	Wasserman, Jurista & Stolz P.C	Special Counsel	\$0	\$11,238	\$0	\$11,238
	iv	Whiteford Taylor & Preston LL	Special Counsel	\$0	\$4,265	\$0	\$4,265
	v	Akerman LLP	Special Counsel	\$0	\$8,891	\$0	\$8,891
	vi	Donlin Recano & Company Inc	Other	\$0	\$11,864	\$0	\$11,864
	vii	Donlin Recano & Company Inc	Other	\$0	\$116,701	\$0	\$116,701
	viii	U.S. TRUSTEE	Other	\$0	\$96,006	\$0	\$96,006

b.			Approved Current Quarter	Approved Cumulative	Paid Current Quarter	Paid Cumulative	
	Professional fees & expenses (nonbankruptcy) incurred by or on behalf of the debtor <i>Aggregate Total</i>		\$0	\$52,054	\$0	\$52,054	
	<i>Itemized Breakdown by Firm</i>						
		Firm Name	Role				
	i	WithumSmith+Brown	Financial Professional	\$0	\$46,435	\$0	\$46,435
	ii	Deloitte Consulting LLP	Financial Professional	\$0	\$3,863	\$0	\$3,863
	iii	Kevane Grant Thornton LLP	Financial Professional	\$0	\$1,756	\$0	\$1,756
c.	All professional fees and expenses (debtor & committees)		\$0	\$1,785,561	\$0	\$1,785,561	

Part 3: Recoveries of the Holders of Claims and Interests under Confirmed Plan

	Total Anticipated Payments Under Plan	Paid Current Quarter	Paid Cumulative	Allowed Claims	% Paid of Allowed Claims
a. Administrative claims	\$0	\$0	\$6,500	\$6,500	100%
b. Secured claims	\$0	\$0	\$52,271	\$52,271	100%
c. Priority claims	\$0	\$0	\$0	\$0	0%
d. General unsecured claims	\$0	\$0	\$4,915,324	\$78,885,243	6%
e. Equity interests	\$0	\$0	\$0		

Debtor's Name Eastern Freight Ways, Inc.

Case No. 19-12812

Part 4: Questionnaire

a. Is this a final report?

Yes ☐ No ☒

If yes, give date Final Decree was entered:

If no, give date when the application for Final Decree is anticipated: 03/31/2022

b. Are you current with quarterly U.S. Trustee fees as set forth under 28 U.S.C. § 1930?

Yes ☒ No ☐

Privacy Act Statement

28 U.S.C. § 589b authorizes the collection of this information and provision of this information is mandatory. The United States Trustee will use this information to calculate statutory fee assessments under 28 U.S.C. § 1930(a)(6) and to otherwise evaluate whether a reorganized chapter 11 debtor is performing as anticipated under a confirmed plan. Disclosure of this information may be to a bankruptcy trustee when the information is needed to perform the trustee's duties, or to the appropriate federal, state, local, regulatory, tribal, or foreign law enforcement agency when the information indicates a violation or potential violation of law. Other disclosures may be made for routine purposes. For a discussion of the types of routine disclosures that may be made, you may consult the Executive Office for United States Trustee's systems of records notice, UST-001, "Bankruptcy Case Files and Associated Records." See 71 Fed. Reg. 59,818 et seq. (Oct. 11, 2006). A copy of the notice may be obtained at the following link: http://www.justice.gov/ust/eo/rules_regulations/index.htm. Failure to provide this information could result in the dismissal or conversion of your bankruptcy case, or other action by the United States Trustee. 11 U.S.C. § 1112(b)(4)(F).

I declare under penalty of perjury that the foregoing Post-confirmation Report and its attachments, if any, are true and correct and that I have been authorized to sign this report.

/s/ Kevin Clancy



Signature of Responsible Party

Liquidating Trustee

Title

Kevin P. Clancy, Liquidating Trustee

Printed Name of Responsible Party

10/19/2021

Date

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

IN RE: New England Motor Freight, Inc., et al.

CHAPTER 11

CASE NO. 19-12809 (JKS)

DEBTORS.

LIQUIDATING TRUSTEE'S POST-EFFECTIVE DATE QUARTERLY REPORT

FOR THE PERIOD

FROM July 1, 2021 TO September 30, 2021

Comes now Kevin P. Clancy (the "Liquidating Trustee"), solely in his capacity as Liquidating Trustee pursuant to the *Debtors' and Official Committee of Unsecured Creditors' Third Amended Joint Combined Plan of Liquidating and Disclosure Statement* (the "Plan") [Docket No. 1023],* who hereby files this Post-Effective Date Quarterly Report on behalf of the Debtors and in accordance with the Guidelines established by the United States Trustee and Bankruptcy Rule 2015.

In accordance with 28 U.S.C. Section 1746, I declare under penalty of perjury that I have examined the information contained in this report and it is true and correct to the best of my knowledge.

Notes and Explanations to PCR for the period ended September 30, 2021 regarding status of claim recoveries reported under Part 3 of the PCR:

- [a] The Liquidating Trustee commenced initial distributions to holders of allowed general unsecured claims against the estates of the Consolidated Eastern Debtors and the Consolidated NEMF Debtors in March 2020 and December 2020, respectively [see *Docket No. 1336*]. The initial distributions (and any potential further distributions) are being made on a rolling basis as the Liquidating Trustee reconciles claims and gathers the necessary documentation to make such distributions.
- [b] Since the initial distributions, the Liquidating Trustee has continued to focus heavily on the review and reconciliation of numerous proofs of claims filed in the Chapter 11 Cases and pursuit of potential sources of recovery for the benefit of the Liquidating Trust Beneficiaries. Though these efforts remain ongoing, to date the Liquidating Trustee's efforts have resulted in the Liquidating Trustee having, among other things, (i) filed, and/or obtained entry of orders granting, multiple omnibus objections to claims [see *Docket Nos. 1279, 1293, 1330, 1331, 1558 and 1559*], and (ii) pursued certain causes of action and sources of recovery for purpose of potentially augmenting the Liquidating Trust's assets. The Liquidating Trustee will continue to analyze and reconcile the remaining proof of claims in order to arrive at the amounts anticipated to be disbursed to holders of claims under the Plan.

Signed:



Date:

October 19, 2021

Kevin P. Clancy, Liquidating Trustee
Print Name

Liquidating Trustee's Address:

Kevin P. Clancy
CohnReznick LLP
14 Sylvan Way
Parsippany, New Jersey 07054
kevin.clancy@cohnreznick.com

* Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to them in the Plan.